



BOARD OF POLICE COMMISSIONERS

Minutes of the Regular Board of Police Commissioners Meeting Thursday, March 27, 2003

The regular meeting of the Detroit Board of Police Commissioners was held on Thursday, March 27, 2003 at 3:00 p.m., at Police Headquarters, 1300 Beaubien - Rm. 328-A, Detroit, MI 48226.

ATTENDANCE

Board Members Present

Megan P. Norris
Willie E. Hampton
Erminia Ramirez
Edgar L. Vann, Jr.
Arthur Blackwell, II (**ABS**)

Department Personnel Present

Chief Jerry A. Oliver, Sr.
DC Gary Brown
Insp. Janice Butler
Insp. Frederick McClure
Lt. Raymond Nolan
Sgt. Kenneth Williams
Sgt. Sharon Cowling
PO Walter Huggins
PO James Watson
PO Eric Jarmons
PO Ray Trammel
PO Jarrett Womble
Dir. Elsie Scott
Civ 3DC Tara Dunlap

Board Staff Present

Dante' L.Goss, Exec. Director

Denise R. Hooks, Atty./Supv. Investigator
Arnold Sheard, Interim Chief Investigator
E. Lynise Bryant-Weekes, Personnel Director

OTHERS PRESENT

Ms. Walters
Ron Scott
Mr. Craccioholio
Atty. Thomas R. Zulch
Rick Jones
Mark Winston

RECORDERS

Jerome Adams
Felicia Hardaway
Kellie Williams

1. CALL TO ORDER

Chairperson Norris called the regular meeting of the Detroit Board of Police Commissioners to order at 3:20 p.m.

2. APPROVAL OF MINUTES

Comm. Norris requested that the minutes of March 20, 2003 be amended to reflect her absence at this meeting and Comm. Vann calling the meeting to order.

MOTION: Commissioner Norris made the motion to approve the minutes of Thursday, March 13, 2003 and March 20, 2003.

SECOND: Commission Vann seconded the motion.

VOTE: All in attendance voted in the affirmative.

3. REPORT FROM THE CHAIR

**RESOLUTION HONORING
INSPECTOR WILLIAM K. WYLIE**

- WHEREAS** Inspector William K. Wylie of the Second Precinct has retired from the Detroit Police Department after thirty-seven (37) years of exemplary service to the citizens of Detroit, and
- WHEREAS** Inspector Wylie was appointed to the Detroit Police Department as Police Officer on May 10, 1965, and
- WHEREAS** Upon graduation from the Detroit Police Academy, Inspector Wylie began his illustrious career at the First Precinct, and
- WHEREAS** As a Police Officer with the Department, his assignments included the Fifth Precinct Patrol Operations Section; and the Fifth Precinct Detective Bureau, Investigative Response Unit, and
- WHEREAS** On December 21, 1972, Officer Wylie was promoted to the rank of Sergeant and reassigned to the First Precinct Patrol Operations Section. On August 5, 1974, he was transferred to the Fifth Precinct Detective Bureau, Investigation Response Unit, and
- WHEREAS** On January 13, 1977, Sergeant Wylie was promoted to the rank of Lieutenant. His assignments Lieutenant included the Fourth Precinct Special Operations Unit, the Homicide Section, the Second Precinct, the Third Precinct, and the Fourteenth Precinct, and
- WHEREAS** On February 5, 1999, Lieutenant Wylie was promoted to the rank of Inspector and assigned as Commanding Officer of the Medical Section. On September 20, 1999, he was transferred to the Ninth Precinct. On July 29, 2002, he was transferred to the Second Precinct where he remained until his retirement.

WHEREAS During his career, he attained a Bachelor of Science Degree with Distinction from Wayne State University, graduated from the 173rd session of the Federal Bureau of Investigation Academy, received a Certificate of Achievement from the University of Virginia, and attended numerous training seminars. Inspector Wylie was a member of the Detroit Police Department Honor Guard from 1968 and 1972, and

WHEREAS Inspector Wylie, with no disciplinary history, has received numerous awards from the State and Community Organizations, as well as service awards from the Detroit Police Department. These awards include three Chief's Awards, One Chief's Merit Award, two Departmental Citations, two Lifesaving Citations, 17 Citations, 24 Commendations, the 1984 GOP Commemorative Award, the Detroit Police Honor Guard Medal and Ribbon, International Police Association Award for Service, and the Michigan National Guard for Personal Assistance.

NOW, THEREFORE, BE IT

RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of the City of Detroit and the Detroit Police Department, acknowledge Inspector William K. Wylie for his outstanding loyalty and dedication to the Detroit Police Department. Inspector Wylie's actions were in accordance with the highest standards and traditions of the Detroit Police Department,

We salute and congratulate you, Inspector Wylie.

/s/ Megan P. Norris
Chairperson

/s/Willie Hampton
Vice Chairperson

/s/Arthur Blackwell
Commissioner

/s/Edgar L. Vann, Jr.
Commissioner

/s/Erminia Ramirez
Commissioner

DETROIT BOARD OF POLICE COMMISSIONERS

MARCH 27, 2003

MOTION: Commissioner Norris made the motion to adopt the resolution for Inspector William K. Wylie

SECOND: Commissioner Ramirez seconded the motion.

VOTE: All in attendance voted in the affirmative.

4. SECRETARY REPORT - EXEC. DIR. GOSS

Suspension

On March 27, 2003, Police Officer Mark Roll, Badge 1128, assigned to The Gaming Administration Section, was suspended **without pay**, by Chief Jerry A. Oliver, Sr.

On January 12, 2003, Police Officer Mark Roll, was involved in a physical altercation with a subject while at a bar in East Tawas, Michigan.

According to the information, Officer Roll's male friend was involved in a physical altercation. As his friend was being escorted out of the bar, Officer Roll allegedly punched the complainant. In addition, Officer Roll punched the glass of the front door causing it to shatter. Misdemeanor warrant #03-224FM was issued charging Officer Roll with "Malicious Destruction of Building - \$200 or More, but Less than \$1,000."

On March 24, 2003, Officer Roll was arraigned before the Honorable Magistrate Jennifer Huebel, of the 81st District Court, Tawas, Michigan. He was released on a \$5,000.00 personal bond.

Officer Roll is currently suspended with pay for "Assault and Battery/Domestic Violence," in which he was dismissed from the Detroit Police Department at a Chief's Hearing. He is currently appealing this decision. Additionally, on July 31, 2002, a Probationary Evaluation Board recommended that he be dismissed from the department due to poor work performance and attendance.

Based on the above circumstances, it is recommended that Officer Roll be charged with, but not limited to the following violation of the Detroit Police Department Rules and Regulations:

**CHARGE: CONDUCT UNBECOMING AN OFFICER;
CONTRARY TO THE LAW ENFORCEMENT CODE OF**

**ETHICS, THIS BEING IN VIOLATION OF GENERAL ORDER
72-17, SECTION K, SUBSECTION 65.**

Due to the seriousness of the charge, I am requesting your concurrence with the suspension of Officer Roll without pay, effective March 27, 2003.

Comm. Norris stated the above suspension without pay would be tabled until the next Board meeting and reread. Atty. Thomas R. Zulch was prepared to argue the case but Atty. Nancy Ninowski was not present.

Comm. Norris stated that this postponement should not be taken negatively or positively in the Board's failure to contravene or not today.

Unless contravened by this Commission, the above suspension without pay will stand.

CITIZEN COMPLAINTS RECEIVED

For the Week Ending: March 26, 2003

	<u>This Week</u>	<u>Year to Date</u>
Weekly Count of Complaints:	30	272
Weekly Count of Allegations:	41	459
Arrest	1	23
Demeanor	15	143
Entry	0	6
Force	5	36
Harassment	2	20
Procedure	9	140
Property	1	26
Search	2	22
Service	5	43

PENDING CASES

As of March 27, 2003, the Office of the Chief Investigator has a total of **253** pending cases, which include 157 cases with an age of 0-45 days and 63 cases with an age of 46-60 days.

2002

During the past week: 31 Year to Date: 239

Comm. Norris stated that the Office of the Chief Investigator (OCI) has provided the Board with a revised Complaint Allegations Filed Against DPD broken down by precincts and departments. A copy of this has been provided to the Chief of Police. She stated this information would be helpful and she thanked the OCI staff for providing this information.

Comm. Norris stated to Chief Oliver that it was her understanding that the DOJ Presentation, which was scheduled for today, has been adjourned?

Chief Oliver stated that as we are aware, there is a lot of activity surrounding the Department of Justice (DOJ). The DOJ are trying to determine what they are going to do concerning the police department. Whether or not it will be consent decree or something less than that. He had an opportunity to meet with Mr. Ralph Boyd, who is like the top guy in the DOJ as it relates to these types of investigations. He was quite clear to the Mayor and other members that were in attendance that there is plenty of work to do. Mr. Boyd applauded the efforts and the structure that the police department has done but because of certain events that have occurred continuously in the newspapers, such as injury to citizens or a vehicular pursuit, their interest is not so important what we are developing as policy but in how it is being inculcated into our cultures within the organization.

Comm. Norris stated whether the policies are getting affected basically?

Chief Oliver stated that the DOJ are very interested if they came and asked any police employee if the employees understood what the DOJ issues were about and if the employees could answer questions about our new policies, manual and procedures. He stated that everyone within the organization is going through the training regarding the manual that was passed earlier this year. The new department manual is now on CD-Rom and available to our employees. Director Elsie Scott has been leading that effort. He asked her to comment on manual training and other types of training that has been done regarding this.

Dir. Elsie Scott stated that the manual training started last week with the Executives. On Thursday, March 20, 2003, training was conducted with the police officers, investigators, and sergeants attending an eight-hour course. We hope to have everyone trained by April 10, 2003. If we find that personnel have not attended, we will schedule a make-up class. In the training, we are covering the major sections that have been revised. We are not trying to cover the whole

manual but the major revisions. We are hoping to work closely with our precincts to keep things reinforced once they leave the training.

Comm. Vann asked would it be fair to say that most of the police officers do not know what a consent decree is and what ramifications that it could have for this department?

Dir. Scott stated she was glad Comm. Vann asked that question. She forgot to mention something that was added into the training that the police department had not planned to have. After meeting with DOJ, the police department decided to add a presentation on the DOJ. DC Cara Best is covering that segment where she has a series of slides that explains how we got to where we are and where do we need to go from here. What is a consent decree and what would that mean for the department.

Comm. Vann asked Dir. Scott what was her initial assessment of sworn members of the department and their workable knowledge of the rules and regulations in the manual? Could she say 60% or 70% understanding knowledge based? He stated that one of the reasons for hiring her was because of the serious deficits in that area. Could she speak on that and if she chose not to, could she speak on what she is doing in that regard?

Dir. Scott stated that she really could not speak as to what percentage of the department understands the manual but what she could say is that it is covered in the recruitment training. Every officer that is graduating from the academy has received training in the old manual. Regarding the manual, she will be able to speak on that in terms of how many have been through the training. We have not given an exam so she cannot speak as to how many have grasped the knowledge. She can only speak on what they have been exposed to. Everyone has been exposed to the policy manual but in terms of the actual understanding that really comes out when they have to implement the policy as police officers.

She stated that what she is trying to do to rectify these deficiencies is to look at the recruitment training and trying to see what changes need to be made. As you know, much of the recruitment training is covered by the "m" codes requirement but in addition to the "m" codes requirement, the Detroit Police Department offers an additional 176 hours. We are reviewing that to see whether there are changes that we need to make at the 176 hours, especially like the changes that have been made in the training manual. The other is that we now have mandatory in-service training so there will be certain segments of the training that we will require all personnel to attend. We are also planning on doing in-service exams in the training so we can test personnel to see if they have a working knowledge of the material that we are offering them. We have identified training coordinators in every command. We are meeting with them

monthly asking them to help her staff to ensure that persons are trained and that the training is reinforced at the command level.

Comm. Vann stated that is so important and he wanted to commend the Chief, first of all, for setting forth and Dir. Scott's efforts especially for setting forth this type of matrix for training. He stated that the newer members are better trained then the ones that have been here awhile because we continuously enhance what we do with the people when they first come in. He stated that Dir. Scott continuously enhance the training and all the modules that she does. Often times the problems are not with the new members but with the old members that have been there all the time.

Comm. Norris stated her only familiarity with the recruit training is through the Use of Force panel. She has been on the Use of Force panel seven times now most recently with Dir. Scott. She stated the individuals at this point not only get the specific rules and regulations but they also get the concepts behind them. The problem as the Chief stated is not with the policy but after they graduate, they ride in a vehicle and the officer that they are riding with does not follow those policies and procedures, then what they have learned in the academy will quickly leave them and they will think that this how it is done. The key is reinforcing the training as Dir. Scott has outlined, and also making sure that there are consequences for those in their daily practice and procedure who do not follow it.

Comm. Norris stated that she would not ask Chief Oliver to comment on the specifics of the recent shooting because she is quite sure that it is under investigation. As she has stated in the past, she thinks that it is very important to not just look at was the shooting justified which is the question that the court is going to ask, and the prosecutor is going to ask which are important questions obviously. But to look at it from our training and our procedures were the steps that got us to that point the appropriate steps? Because that is so often in our culture where we fall down.

Chief Oliver stated that is what DC Brown and his staff are doing. They are stepping back and taking a look and working with Dir. Scott's people in making sure that if they are training issues, we are identifying those issues. One think that Mr. Boyd stated is that we this entrenched culture. Mr. Boyd stated that of all the departments that they have dealt with throughout the country in terms of consent decrees, the Detroit Police Department's entrenched culture was probably the most difficult to deal with. That is not really about policies and procedures, it is about the culture of the organization, it is the practices.

Chief Oliver was speaking with a group of civilian employees this morning and used an example of smoking cigarettes: You know that it is bad for you but you continue to do it and you figure out excuses for continuing to do it. It is

something like that in some of the policies and procedures that we are doing. We know that it is not the right thing to do, past practice or whatever it is, but we continue to do it anyway because it is part of what we are. We see ourselves as being a smoker. That is one issue that we have. Another issue will probably end up giving us problems is the idea that we pass out the CD-ROMs with all of the information on them. He was not sure if the Board has had a chance to take a look at it but. The ideas that you can carry this around in your shirt pocket, not only all of the policies and procedures of the department but links to all kinds of places that you can visit on the web. There are all kinds of information to back up the policies, the best practices, etc. We are having individuals within the organization to not accept the CD-ROM. The reasons given are: I don't have a computer; I don't have access to a computer which is in indictment of the department within itself in 2003, or have an employee say we do not have access to a computer. He stated that he has four year olds that have access to a computer. He stated that the worst-case scenario that you don't have access to a computer or know anyone with a computer, you could easily print that out. Our responsibility is to give you the information and you can go somewhere and print it out. Chief Oliver stated that his concern is that DOJ will come and speak with one of our employees and the employee will say that it was given to them on CD-ROM but I don't have a computer or know anyone with a computer or I don't like computers.

Comm. Norris stated that they have probably logged in on www.firejerryo.com.

Chief Oliver stated they probably did that and that was the issue. We must get the CDs to everyone. One of the things that is being done by DC Evans and her staff are doing is making sure that we document that we have made the offer and given individuals these CDs and if they need to get it printed someplace, we have included contacted businesses such as Kinko's to find out the cost associated with copying the CD. We are not going to print them; we feel that the CD is the way to go. We want everyone to have it on a CD. We want them to have them in their pockets and carry it with them so that they don't have to carry four cases of books, and that no one will have the excuse that we did not have the policies and procedures to finish the project that they were working on or whatever the call might be.

Going back to the understanding of DOJ, do our employees understand the implications? There has been a lot of information put out that is just bad information to our employees. He is not sure what the purpose of it is. That DOJ is going to run off the Chief and make everything better. The fact is that DOJ shows up with a lot of best practices and zero dollars. They have never shown up at any city with dollars. They state this is what you have to do. You will find the money and we don't care if you have to close down everything else in the city but you will find the money to fix this problem, and we really don't care about the contractual issues that you may have. We will try to honor that because of the

employees but in reality, we are here to get it done in five (5) years and if we have to appoint a monitor that is blind to all of these contractual issues, this last negotiation with DPOA or whomever, then we will do that. He thinks that is been borne out in Pittsburgh, Los Angeles, and Cincinnati. You look at all of these and that is the only way that you can move the agenda. Having our employees to understand that this is under one hand it may be a great thing because all eyes are focused on the consent decree and on the other hand, all of the comforts that we may have are already negotiated in the organization will not be of interest to nobody but us and it will just go by the wayside. Hopefully, we can get the straight information. He stated that DC Best is doing a great job and has some great slides. He stated that it might not be a bad idea to have DC Best come before the Board and present it. She completed this in two (2) days and did a great job of putting together a great program that she has given to employees stating this is the straight scoop on the DOJ and you really need to know that what it is. That is part of the training that Dir. Scott was speaking about. Comm. Vann stated that some of the understanding of police officers would hopefully help to soften some of the morale blows, misunderstanding blows, and the subversive sabotaging type of behavior and talk that goes on in the organization. He thinks that a lot of people really don't understand that some of the initiatives that Chief Oliver has taken forward were really in a way to get ahead of DOJ, and there are a lot of people who took those things personally, or present leadership was just coming to cause an insurrection rather than a correction. He thinks that what DC Best is doing will help other officers to understand. He does not believe that a lot of people have any idea what a DOJ consent decree or a consent decree of any kind does. He thinks that most police officers don't know or don't care. He states they need to know about it because what will happen is they may get a better sense of appreciation for some of the initiatives and some of the strident moves that have been made. Some of the reorganization, and some of the reasons for demanding a higher standard and code of conduct among officers, and some of the reasons for change why we need to change Risk Management policies. He felt it was very important. Comm. Norris stated that the money part is very important as well. The City of Cincinnati is paying 5 million dollars for the monitor. That is 5 million dollars that is not buying one computer, or buying a Risk Management system. That is just to pay the monitoring team. That is 5 million dollars that is going to come from someplace. She stated that while in Phoenix, the Los Angeles Chief talked about the kind of money that was being spent and he was asked where was he getting the money and he stated they did not have any choice. If the city buses close down, the city buses close down.

Comm. Norris asked Chief Oliver if he could comment briefly on the community forum that he appeared on regarding homeland security issues.

Chief Oliver stated that it was very successful. It was the Mayor's attempt to put on display the amount of preparation that the city had undergone in terms of

preparedness for homeland security defense. What he thought was interesting, in the city we received very little publicity but in yesterday's New York Times, it was quite an article describing this event. He stated that the further away you get from home, the more significant and more people appreciate, the media in New York appreciate the fact that we are out in front of a lot of other cities. We gave Mr. Shelby Slater, Homeland Security Defense Director, who was appointed by the Mayor, the opportunity to talk across discipline on our preparation with fire and emergency services.

About a week ago, we held a regional conference where we brought everybody from any kind of emergency service, health, aging, social services, police, fire, etc., from Canada and the United States together to talk about our preparedness. We came away reinforced that we have done a lot of things in this region and that our partnerships are strong. Our mutual aid agreements are respected and at that level, we felt that we are in good shape. We had an opportunity as a police department because of the work that Commander Barren and our Metropolitan Division and our Mobil Field Force has done. The work that DC Haddad has done in trying to get us equipped properly to put that on display. We had a fashion show with the Mobile Field Force displaying the uniforms that would be worn and what it would look like to have a gas mask on. The Fire Department did something similar. We wanted to do it not so much as a fashion show, but we wanted to put people at ease. If you saw a police officer in one of these exotic uniforms that they are really there to protect you. We are positioning ourselves to respond to any kind of situation whether it is a biological hazard, chemical hazard, or some other manmade hazard. He felt it was successful. Most of the feedback that he received from people was that they really did not realize what really goes into this and that they were pleased that the Mayor chose to take the opportunity to put that on display and lead the issue. There have been no other cities that we are aware of that are as prepared as we are. Maybe just in terms of New York, because New York is international but is prepared and has state gone on record and on prime time TV to state that.

Comm. Vann stated that Chief Oliver mentioned the press and he is concerned about how the press here in Detroit and their lack of rooting for the home team. It has always been a perennial problem whether it is a mayoral administration, the police department, or other kinds of things. How are we managing press relations? What do we do in that regard in terms of helping to manage or massage press relations with regards to that? You mentioned already that the DOJ keeps looking at articles in our newspapers over and over again, which they serve as a barometer for how things are here in Detroit in terms of many things that have happened. We have observed that other journalists in other areas give us better press than the ones right here at home. How are we managing that?

Chief Oliver stated as he mentioned to the Board when he was reorganizing that image management is something that we have not been good at in least in

policing and we are making an attempt to do a better job through 3DC Dunlap's office. He stated that this is a hostile media environment and he is waiting to see how the gun burning will be portrayed. A very historic event happened this morning where we destroyed about 5,000 long weapons out of our property room. Which is the biggest thing that has happened in the state. It took place at the Ford Plant near the Rouge River. He stated that was a big story. Our property room and the management of it has been an issue. A lot of work has been done with DC Brown getting rid of the money that was there and getting rid of all of those weapons so that if something is missing, we will know. Right now, with all that was there if someone had walked away with a dozen weapons, we might not ever be able to know that. We are managing it better.

Comm. Vann stated that they will spin it and say that this is the same property room that where the drugs were found.

Chief Oliver stated hopefully that is a good story for everybody. The employees that were involved are to be applauded because it was a tremendous amount of work involved. DC Goss-Andrews' people, the property room, and Insp. Lance Williams's people have done a great job.

3DC Tara Dunlap stated that the department received good press regarding the massive gun burning and aired on Channel 4 and Channel 7. What we have done in this administration is to make sure that we have been proactive on getting in front of the issues that are confronting the department in being open with the members of the media, the Chief, myself, and several other upward level Executives. We have met on several occasions with the Editorial Boards at the major papers here as well as having breakfast meetings with the producers at the local TV stations, and major networks here to make sure that we have a good working relationship with members of the press. When they contact her office, we try to make sure that we are open as possible so we keep building on those relationships so when we need positive coverage on an event that may not be as sexy as a shooting or the homicides that we get that. That is what we are doing actively in Corporate Communications.

Comm. Norris asked do you have any sense that is improving things or too early to tell? She applauded the openness of the administration.

3rd DC Tara Dunlap stated that she has been happy to see is that the news media does call and is expecting to hear an answer from us. She has heard on a couple of stations that when something that may have been a little negative against the department, they seem more confident that we will check into the event and that we won't put a curtain around what is going on in the department. She believes that is some headway.

5. CHIEF'S REPORT

DETROIT POLICE DEPARTMENT MIND'N OUR BUSINESS

Board of Police Commissioners

The Detroit Police Department's mission is building a safer Detroit through community partnerships. Therefore, the following enforcement actions were conducted during the week of March 19th-25th, 2003:

ORGANIZED CRIME AND GANG DIVISION

The Conspiracy Intelligence, Gang Enforcement, North-West, and Vice Sections conducted Eleven enforcement actions that resulted in (7) misdemeanor and (9) felony arrests, there were also (22) miscellaneous ordinances. These enforcement actions resulted in the confiscation of 90.1 grams of cocaine, 41.5 grams of heroin and 43,729 grams of marijuana with a total street value of \$285,658.00. \$26,849.00 in U.S. currency and 19 vehicles were confiscated from these enforcement actions.

SECOND PRECINCT

On Saturday, March 22, 2003, officers of the Second Precinct were on patrol in the 14000 Block of Grand River, where they were flagged down by a large group of citizens. An unknown male gave a description of another male and stated he was armed with a weapon. Upon further investigation of the crowd the officers observed the subject fire a single shot into the air. The subject was arrested and conveyed to the Second Precinct for processing.

SEVENTH PRECINCT

On Saturday, March 22, 2003, while on patrol officers of the Seventh Precinct observed a vehicle fitting the description of a vehicle wanted in connection with a felonious assault shooting (F/A). The officers initiated a traffic stop and upon further investigation the officers found that the occupant of the vehicle also fit the description of the subject wanted in connection with the F/A shooting. The subject was arrested and conveyed to the Seventh Precinct with out incident.

Chief of Police Jerry A. Oliver, Sr.

6. OTHER BUSINESS

Comm. Norris stated that she has met with Star Ellen Carter who has appeared before the board several times regarding issues. She has met with Interim Chief Investigator Arnold Sheard to discuss from our end how we can best help address those concerns. She had some communications with Chief Oliver and will be following up with ways from Chief Oliver's end how we can help. She did not want to publicly go into details. She just wanted to inform the Board that she has met with Ms. Carter and trying to holistically approach the problems. She stated as a procedural matter, one of the issues that we need to be sensitive to is that when citizens come to us with complaints, they don't always think of their complaints at we do as falling into certain categories, and involving specific incidents. What we like to do is have an incident, investigate it, and come to a conclusion about it. Citizens don't always think about it that way, they think that a whole bunch of other things is happening and it is bad. Sometimes we feel we have addressed everything and they don't because we have been thinking of little pieces and there may be more to it than that. That is something that we need to be aware of in terms of our dealing with the citizens coming before us.

7. ORAL COMMUNICATION FROM THE AUDIENCE

Mark Winston stated that he was satisfied with the decision regarding his complaint regarding two (2) police officers. He was allegedly stopped for running for a red light. He went to court and won his case. He was instructed by the judge to present this information to the Board.

Comm. Norris stated that we would review the investigation that was done by the Office of the Chief Investigator (OCI). If we determine that we think more should have been done, we will make sure that it happens, that it is communicated back to him.

Comm. Norris asked at the time that the Office of the Chief Investigator (OCI) investigation was being done, was the court case still pending or had it been resolved?

Mark Winston stated at the time of the investigation, he had not gone to court yet.

Comm. Norris asked so this happened before you lost and appealed the case and won?

Mark Winston stated yes. When he appealed, the decision was already made. He had just gone to court.

Comm. Norris asked if he knew if there was an in-car video in the car at issue in your case?

Mark Winston stated he did not know. No one mentioned that.

Comm. Norris stated that many complaints of the nature that you have described are received. What happens when we go to investigate is that you and perhaps some witnesses say things happened one way and a couple of officers or more say things happened another way, and we historically have not had any way of knowing the truth to that. What we find often in those cases has not been sustained. Which does not mean that it did not happen but it means we can not tell the Chief to proceed with some disciplinary action because we cannot say it did happen either. Because we now have in-car videos in our cars, we don't find ourselves in a he said or she said situation anymore and we can look at the video and see what happened. If your car didn't have one, that is often very difficult for us to do. She would be happy to look at the investigation and your complaint to see if any follow-up should be done to see if the court case affects any of that.

Mark Winston stated that he has talked to a couple of investigators and they have explained that to him.

Comm. Norris asked Interim Chief Investigator Arnold Sheard to get Mr. Winston's file and also ask the investigator that was handling that case to speak with Mr. Winston to get any of the subsequent developments including the transcripts. She stated that she will look at it and it sounds like we will have supplemental information to look at.

Mr. Craccioholo asked Chief Oliver to comment on an article involving police officers from the 8th Precinct regarding a mentally ill person brandishing a weapon and was shot and killed.

Chief Oliver stated the matter is being investigated and it appeared to be justified on the surface perhaps and it bears more examination. It may turn out that this was a justified shooting on behalf of the officer. Most of the facts have been reported in the newspaper. We are not in a position to say much more.

Comm. Norris asked is she correct procedurally that what happens is that DC Brown's staff investigates this and a warrant is automatically issued basically no matter what they find and the Prosecutor decides?

Chief Oliver stated that part he is not sure about. Not only do DC Brown and his staff investigate but also the Homicide investigators do their part also. There is a two-track investigation. We really want to have separate investigations for two different reasons at the Assistant Chief level, which is Mr. Timothy Black. All of that comes together so that we can have a good look at the discrepancies and a

good look at the administrative training aspect but also submitting the documents that Comm. Norris is speaking of.

Insp. Frederick McClure stated that he responded to the scene and the Chief is correct that it is currently under investigation. It is a dual track system of investigation. Homicide has their responsibility of looking at the criminal angle and they will present a warrant.

Comm. Norris asked that is automatic right and then the Prosecutor? We don't have any say ultimately whether the Prosecutor chooses to go forward with that?

Insp. Frederick McClure stated actually in fact there was a Prosecutor at the scene as well.

Comm. Norris stated that we look at it also from the disciplinary and procedural standpoint.

Insp. Frederick McClure stated the Professional Accountability Bureau would look at it administratively and recommend any training or any other rules and regulation issues that need to be resolved.

Chairperson Norris stated I think it is fair to say that the high level administration in this Department has taken a beaten for that. It has been viewed as unsupportive of the rank and file, which I think is unfortunate because I don't think that it is meant that way. I think it means that until we investigate we can't say, and if we find nothing was wrong we would back our folks up to the hilt and if we find that something was wrong, we will take appropriate action.

Mr. Cracchiolio stated I just hope it isn't white washed?

Chairperson Norris stated I think it is fair to say that won't happen.

Mr. Cracchiolio stated when Benny Napoleon was the Chief of Police, he stated that when a police officer shoots his weapon, he should aim to kill. What is your interpretation of that? Is that your ammunition also?

Chief Oliver stated the only time that an officer should pull the gun from the holster is when they intend to use lethal force. An officer should not use their gun unless it is in defense of their life or someone else's life .

Mr. Cracchiolio asked what happened to that group that gave a presentation on ascertaining some other means of weapons that they could use?

Chairperson Norris stated the Board and the Department is looking into using less than lethal force.

Chief Oliver stated we are looking at a number of less than lethal force devices. We have a group of people that is taking a look at it and making recommendations. It is a demand by DOJ that we have less than lethal force training given to our employees, so that we could do a better job in providing services on the street.

Mr. Cracchiolio asked have any of these recommendations been implemented?

Chairperson Norris stated as the Chief said, it is a DOJ issue and I don't think we are going to go into something that the DOJ would not find appropriate at this time.

Ms. Walters stated citizens should be notified about what types of less than lethal force devices would be used.

8. ANNOUNCEMENT OF NEXT MEETING

Thursday, April 3, 2003 @ 3:00 p.m.
Police Headquarters, Room 328-A
1300 Beaubien
Detroit, MI 48226

9. ADJOURNMENT

Meeting was adjourned at 4:30 p.m.

Respectfully Submitted,

DANTE' L. GOSS
Executive Director
Board of Police Commissioners

DLG/fyh